

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EARL RICHARDSON,

Plaintiff,

CIVIL ACTION NO. 12-11951

HONORABLE NANCY G. EDMUNDS

v.

MAGISTRATE JUDGE MARK A. RANDON

KIM RICHARDSON,

Defendant.

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**REPORT AND RECOMMENDATION TO DISMISS PLAINTIFF'S CASE**

On August 30, 2012, this Magistrate Judge entered a Report and Recommendation dismissing Plaintiff's case. (Dkt. No. 12). Plaintiff filed objections on September 17, 2012. (Dkt. No. 14). On October 15, 2012, District Judge Nancy G. Edmunds entered an Order finding that Plaintiff had loosely alleged a breach of fiduciary duties claim, and referred the case back to this Magistrate Judge. (Dkt. No. 16).

On October 17, 2012, this Magistrate Judge entered an Order to Show Cause requiring Plaintiff to show cause (i.e., explain) in writing why this case should not be dismissed for failure to satisfy the jurisdictional requirement of 28 U.S.C. §1332. (Dkt. No. 17). Plaintiff had until November 5, 2012 to respond, and he was warned that failure to do so may result in a recommendation that Plaintiff's case be dismissed. Plaintiff failed to respond.

Accordingly, **IT IS RECOMMENDED** that Plaintiff's case be **DISMISSED**.

The parties to this action may object to and seek review of this Report and Recommendation, but are required to act within fourteen (14) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(2). Failure to file specific

objections constitutes a waiver of any further right of appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health & Human Servs.*, 932 F.2d 505, 508 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). The filing of objections which raise some issues, but fail to raise others with specificity, will not preserve all the objections a party might have to this Report and Recommendation. *See Willis v. Sec'y of Health & Human Servs.*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this Magistrate Judge.

Within fourteen (14) days of service of any objecting party's timely filed objections, the opposing party may file a response. The response shall be no more than 20 pages in length unless, by motion and order, the page limit is extended by the court. The response shall address each issue contained within the objections specifically and in the same order raised.

s/Mark A. Randon  
 Mark A. Randon  
 United States Magistrate Judge

Dated: November 14, 2012

Certificate of Service

*I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, November 14, 2012, by electronic and/or ordinary mail.*

s/Melody Miles  
 Case Manager to Magistrate Judge Mark A. Randon  
 (313) 234-5540